

Flathead County
Planning & Zoning
1035 1st Ave W, Kalispell, MT 59901
Telephone 406.751.8200 Fax 406.751.8210



PETITION FOR ZONING AMENDMENT

Submit this application, all required information, and appropriate fee (see current fee schedule) to the Planning & Zoning office at the address listed above.

FEE ATTACHED \$ 2305.00

APPLICANT/OWNER:

1. Name: Thompson Farms, LLC Phone: (406) 261-7777 (Dave Jolly)
Owners Representative: Dave Jolly
2. Mail Address: 6 Sunset Plaza
3. City/State/Zip: Kalispell, MT 59901
- 4 Interest in property (if map amendment): Owner

Check which applies: ☒ Map Amendment ☐ Text Amendment:

TECHNICAL/PROFESSIONAL PARTICIPANTS:

1. Name: Sands Surveying Inc. Phone: (406) 755-6481
2. Mailing Address: 2 Village Loop
3. City, State, Zip: Kalispell, MT 59901
4. Email: eric@sandssurveying.com

IF THE REQUEST PERTAINS TO AN AMENDMENT TO THE TEXT OF THE ZONING REGULATIONS, PLEASE COMPLETE THE FOLLOWING:

- A. What is the proposed zoning text/map amendment?

IF THE REQUEST PERTAINS TO AN AMENDMENT TO THE ZONING MAP PLEASE COMPLETE THE FOLLOWING:

- A. Address of the property: 1883 Whitefish Stage Road
- B. Legal Description: Tract 1 of COS 12810 (See Attached Metes and Bounds)
(Lot/Block of Subdivision or Tract #)
29 - T29N - R21W
Section Township Range (Attach sheet for metes and bounds)
- C. Total acreage: 49.558
- D. Zoning District: Evergreen Zoning District
- E. The present zoning of the above property is: AG-80 (Agricultural)
- F. The proposed zoning of the above property is: I-1 (Light Industrial)
- G. State the changed or changing conditions that make the proposed amendment necessary: The owner of the property is a long time business person in the community and developed a successful business (Simitool now Applied

Materials) just west of the proposed map amendment parcel. The landowner wishes to start a new light manufacturing company on the subject property that will employ up to 100 persons. The Kalispell City-County Master Plan adopted in 1986, which governs land use policy for the subject property, is now outdated as both the City of Kalispell and Flathead County have amended land use policy in the Reserve and Whitefish Stage corridors. Intense commercial development now runs up Highway 93 to the Reserve Drive intersection and the Kalispell City limits runs up the Highway 93 to the Church Drive intersection. The County adopted the Two River Neighborhood Plan that designates Urban Residential densities north and east of the proposed Plan Amendment. Properties to the west are zoned R-1 Residential, I-1 Light Industrial, SAG-10 Suburban Agricultural and B-2 PUD. Properties to the south are zoned R-1 Residential, SAG-10 Suburban Agricultural and B-1 Neighborhood/Professional Business. The existing AG-80 is a remnant of low density residential zoning that is no longer consistent with neighboring zoning and or land use classifications. It should be noted however, that only a portion, 49.5 acres of the 250 acre plus holding is proposed for the I-1 zone change and the remainder of the property will remain AG-80 for the present time.

THE FOLLOWING ARE THE CRITERIA BY WHICH ZONING AMENDMENTS ARE REVIEWED. PLEASE PROVIDE A RESPONSE AND DETAILED EXPLANATION FOR EACH CRITERION FOR CONSIDERATION BY THE PLANNING STAFF, PLANNING BOARD, AND COMMISSIONERS.

1. Is the proposed amendment in accordance with the Growth Policy/Neighborhood Plan?

The applicant is applying for a Growth Policy Map Amendment concurrently with the proposed zone change application. Should the Amendment to the Kalispell City-County Master Plan – 2010 Map be approved, the proposed zoning map amendment will be in compliance with the Growth Policy Map designations.

The following Goals and Objectives of the Kalispell City County Master Plan – 2010 support the proposed Map Amendment.

Chapter 1

5. Economy

- b. Identify and conserve prime farm lands in order to retain farming as a viable sector of the economy*

The proposed map amendment changes 49.5 acres of a 250 plus acre holding that is currently in agricultural production. As with the Applied Materials use developed by the applicant to the west, what is not used in the proposed business will be maintained in agricultural production. In this case there will still be approximately 200 acres in agricultural production.

g. Promote the location of business and clean light industry so as to provide job opportunities and maintain Kalispell's position as a retail shopping center for northwest Montana

The proposed map amendment will provide job opportunities for up to 100 persons which in today's economic climate is a significant boost to the local economy.

6 Land Use – The orderly development of the Planning Jurisdiction with ample space for future growth while, at the same time, ensuring compatibility of adjacent uses.

The property west of the Thompson Farms property was previously owned by the applicant with a significant portion designated light industrial (Applied Materials property). The property located on the southern corners of Whitefish Stage and Reserve are designated Commercial and have been developed accordingly. The proposed change will fit with the neighboring uses to the west and as the applicant owns the 200 acres surrounding the proposed Map Change area, this agricultural land will further buffer any potential land use conflicts.

e. Establish additional areas for light industrial expansion within or directly adjacent to the City...

Although not directly adjacent to the City, the area south of Reserve is built to urban densities with Evergreen public water. With the highly successful light industrial use directly west of the subject property, this area can become a light industrial hub where employees can live close to work and have easy access to the transportation network of Whitefish Stage, Reserve, Highway 93 and Highway 2.

8. Public Facilities

a. Designate areas of future development which are already serviced or are in areas which can be economically serviced by water and sewer systems, police and fire protection.

The subject property is now serviced by a main extension from the Evergreen Water District. Like the Applied Materials business to the west, the property is in the West Valley Fire District and served by Flathead County Sheriff Office. Given the size of the property it can be serviced by on-site sewer.

Chapter 5 – Summary and Analysis of the Kalispell City-County Master Plan addresses the deficiency of industrially developed land in the Plan area. Industrial land, “provides a two fold benefit to an area. First, industrial land is a major component of the local tax base. Typically industrial lands pay a far greater proportion in taxes than are received back in services. Second, industrial development on average is responsible for creating 1.5 to 2 additional local support, service or retail jobs (non-basic for each industrial (basic) job in a given area.”

2. Is the proposed amendment designed to:

- a. Secure safety from fire and other dangers? The subject property is not mapped within the designated Wildland Urban Interface. There is some acreage below the bluff that is within the 100-year Floodplain (FIRM Panel 1810G) but the applicant does not propose to build in the low lying area and the floodplain area is subject to the Floodplain Regulations administered by Flathead County.
- b. Promote public health, public safety and the general welfare? The proposed use will be a clean light manufacturing business consistent with the proposed Light Industrial zoning classification. The property accesses off Whitefish Stage which is a major collector compatible with industrial use. The Flathead County Sheriffs Office provides police protection and the West Valley Volunteer Fire Department provides fire protection. The I-1 zoning classification provides setback, height, and land use requirements that also promote public health, public safety, and general welfare.
- c. Facilitate the adequate provision of transportation, water, sewerage, schools, parks and other public requirements? The subject property will be served by the Evergreen Water District. The applicants will work with the Flathead City-County Health Department to develop an on-site sewer system to meet the needs of the business and its employees. The

property is in the Kalispell/Flathead School District, however as an industrial use, it is not a generator of school children. The property is not located near any public parks with the exception of the new fishing pond located about a mile to the northeast. The proposed use will not impact the existing parks systems. The proposed industrial designation should not impact other public service providers or their requirements.

3. Does the proposed amendment consider:

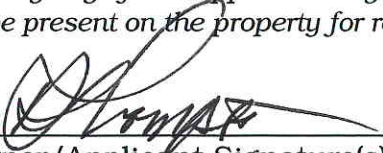
- a. The reasonable provision of adequate light and air? The proposed Light Industrial designations is situated approximately ¼ mile east of Whitefish Stage and approximately ¼ mile north of Reserve Drive. The applicant, Thompson Farms, LLC, owns the property between these Whitefish Stage/Reserve Drive and the proposed map change, which provides a significant buffer to the public right-of-ways. In addition, the proposed I-1 zoning classification has its own setback and height restrictions to provide for adequate light and air.
- b. The effect on motorized and non-motorized transportation systems? The proposed zoning map amendment parcel, currently has its driveway onto Whitefish Stage Road directly across from the access to the BPA substation. Whitefish Stage is classified as a Major Collector by the Montana Department of Transportation and is a State Secondary Highway. Whitefish Stage intersects Reserve Drive which is another Major Collection and Reserve intersects with Highway 93 one mile west of the subject property and Highway 2 one mile east of the subject property.
- c. Compatible urban growth in the vicinity of cities and towns that at a minimum must include the areas around municipalities? The subject property is located just north of the urban confines of the unincorporated community of Evergreen. This area is also in the urban growth ring of the City of Kalispell. In 2005, Flathead County adopted the Two River Neighborhood Plan which designated much of the lands north and east of the subject parcel with Urban Residential Densities. There is precedent with the existing Applied Materials complex located just west of the subject property having Light Industrial zoning. Although the existing zoning and the Kalispell City-County Master Plan – 2010 designates the area “agriculture”, change in land use policy on

surrounding properties over the past 25 years has clearly been towards urban densities and use.

- d. The character of the district and its peculiar suitability for particular uses? Currently the property is in agricultural productions. However as demonstrated by this applicant in the development in the Semitool complex, now known as Applied Materials, an appealing industrial complex can be constructed with a ring of open, agricultural fields. The proposed land use is generally the same as that to the west and the buffering of the use fits the character of the district.
 - e. Conserving the value of buildings and encouraging the most appropriate use of land throughout the jurisdictional area? The proposed land use and zoning designation will conserve the value of neighboring structures as the use is located far from neighboring structures. The land use is consistent with the Applied Materials building and the BPA substation located to the west.
4. Is the proposed amendment, as nearly as possible, compatible with the zoning ordinances of nearby municipalities?

The nearest City Zoning is the Glacier Mall property that is located approximately ½ mile east. This B-2 PUD contemplated extensive retail development and a significant amount of urban residential. Both uses would be compatible with the I-1 Light industrial zoning classification and the proposed light manufacturing use.

The signing of this application signifies approval for the Flathead County Planning & Zoning staff to be present on the property for routine monitoring and inspection during approval process.



Owner/Applicant Signature(s)

8-6-2012
Date

**Thompson Farms, LLC.
Metes and Bounds Description for
Growth Policy Map Amendment and
Zoning Map Change**

DESCRIPTION:

A TRACT OF LAND, SITUATED, LYING, AND BEING IN THE EAST HALF OF THE SOUTHWEST QUARTER OF SECTION 29, TOWNSHIP 29 NORTH, RANGE 21 WEST, P.M., M., FLATHEAD COUNTY, MONTANA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS TO WIT:

TRACT 1:

BEGINNING at the northwest corner of the Northeast Quarter of the Southwest Quarter of Section 29, Township 29 North, Range 21 West, P.M., M., Flathead County, Montana; Thence along the north boundary of said NE1/4SW1/4 S89°40'23"E 1315.17 feet to a set iron pin and the northwest corner of the Northwest Quarter of the Southeast Quarter of said Section 29; Thence along the north boundary of said NW1/4SE1/4 S89°40'18"E 464.50 feet to a found iron pin; Thence S00°19'42"W 150.02 feet to the approximate thread of Whitefish River; Thence along said thread the following twelve (12) courses: S68°11'55"W 99.78 feet; S07°07'30"W 80.62 feet; S24°34'01"W 384.84 feet; S36°23'04"W 236.01 feet; S03°56'43"E 290.69 feet; S41°38'01"W 128.05 feet; S76°51'21"W 107.36 feet; S82°54'36"W 189.79 feet; S66°25'57"W 186.54 feet; S59°46'29"W 359.15 feet; S60°55'47"W 205.25 feet; S58°43'10"W 134.62 feet; Thence leaving said thread N89°54'42"W 245.02 feet to a found iron pin on the west boundary of the East Half of the Southwest Quarter of said Section 29; Thence along said west boundary N00°05'18"E 1675.42 feet to the point of beginning and containing 49.558 ACRES, more or less; Together with a 40 foot private road and utility easement as shown hereon; Subject to and together with all appurtenant easements of record.

AUG - 6 2012

APPLICATION PROCESS

APPLICABLE TO ALL ZONING APPLICATIONS:

A. Pre-Application Meeting:

A pre-application meeting is highly recommended. This can be scheduled at no cost by contacting the Planning & Zoning office. Among topics to be discussed are: Master Plan compatibility with the application, compatibility of proposed zone change with surrounding zoning classifications, and the application procedure.

B. Completed application.

C. Application fee.

D. The application must be accepted as complete by the Flathead County Planning & Zoning staff prior to the date of the planning board meeting at which it will be heard in order that requirements of state statutes and the zoning regulations may be fulfilled.

APPLICABLE TO APPLICATIONS FOR ZONE CHANGE:

A. Application Contents:

1. Completed Zone Change application, including signatures of all property owners applying for zoning map amendment.

IF this is a **MAP** amendment the following are also required:

- i) A map showing the location and boundaries of the property (*vicinity map*).
- ii) A Title Report of the subject property
- iii) **Certified** Adjoining Property Owners List must be submitted with the application (*see forms below*). The list will be sent directly to the Planning & Zoning office, unless you request otherwise. This list is valid for a period of 6 months from date generated. You may also get a certified adjoining landowners list from a title company if you choose.